

IN THE MATTER OF
*
MAUREEN A. FLANAGAN, SLP
*
License Number 00778
*
Reinstatement Applicant
*

BEFORE THE MARYLAND
BOARD OF EXAMINERS FOR
AUDIOLOGISTS, HEARING
AID DISPENSERS & SPEECH
LANGUAGE PATHOLOGISTS

CONSENT ORDER OF REPRIMAND AND FINE

On or about July 11, 2019, the Maryland Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists (the “Board”) received the license reinstatement application for Maureen A. Flanagan, S.L.P. (the “Respondent”), License Number 00778. In her reinstatement application, the Respondent disclosed to the Board that she practiced speech-language pathology in the State of Maryland for five (5) days without a Maryland license. Upon receipt of this information, the Board initiated an investigation. On or about July 12, 2019, the Respondent submitted a narrative statement to the Board explaining the circumstances of her unlicensed practice. Based upon the Respondent’s license reinstatement application, the Board’s investigation, and the Respondent’s narrative statement, on July 18, 2019, the Board voted to offer the Respondent a Pre-Charge Consent Order and Fine in lieu of issuing Charges for violations of the Maryland Audiology, Hearing Aid Dispensing, and Speech-Language Pathology Act (the “Act”), Md. Code Ann., Health Occupations Article (“H.O.”) § 2-101 *et seq.* As a result of that offer, the Respondent and the Board agreed to the following Consent Order.

FINDINGS OF FACT

The Board finds that:

1. On or about July 29, 1980, the Board issued the Respondent a license to practice as a speech-language pathologist in the State of Maryland, License Number 00778.

2. After failing to submit a renewal application by the applicable deadline, the Respondent's license to practice speech-language pathology expired on May 31, 2019.

3. On or about July 11, 2019, the Board received the Respondent's license reinstatement application. The Respondent attested in her reinstatement application that she continued to practice in Maryland after her license expired. The Respondent explained that she did not realize that her license expired until July 5, 2019, and that she did not receive an email from the Board reminding her that her license renewal was due.

4. The Board initiated an investigation and requested that the Respondent submit a narrative statement explaining the circumstances of her unlicensed practice.

5. In a letter to the Board dated July 12, 2019, the Respondent admitted that she had practiced as a speech-language pathologist without a Maryland license between May 31, 2019 and July 5, 2019. The Respondent explained that on "July 5, [she] discovered that [her] license had expired on May 31st, 2019," and further admitted that she "saw a small number of children the first week of July..." The Respondent stated that the reason for her failure to timely renew her license was that she "never received an email from the Maryland Board of Examiners SLP" informing her that she needed to renew. A review of the Board's files indicate that on April 4, 2019, a license renewal reminder was sent to the Respondent via electronic mail.¹

¹ Md. Code Ann., Health Occupations Article, § 2-308(b) requires that "[a]t least two months before the license expires, the Board shall contact the licensee by electronic means or first-

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that by practicing speech-language pathology without a license, the Respondent violated the following provisions under the Act:

Md. Code Ann., Health Occ. Art.:

§ 2-401(a) Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice...speech-language pathology...in this State unless licensed by the Board to practice...speech-language pathology...

§ 2-402.2(a) Unless authorized to practice speech-language pathology under this title or unless otherwise provided for under this article, a person may not represent to the public by title, by description of services, methods, or procedures, or otherwise that the person:

- (1) Is authorized to practice speech-language pathology in this State; or
- (2) Evaluates, examines, instructs, or counsels individuals suffering from disorders or conditions that affect speech, language, communication, and swallowing.

The Board also concludes that, by practicing speech-language pathology without a license, the Respondent violated Md. Code Ann., Health Occ. § 2-314(5), (10), and (12).

Specifically:

§ 2-314 ...[T]he Board, may reprimand any licensee or holder of a limited license, place any licensee or holder of a limited license on probation, or suspend or revoke a license or limited license if the applicant, licensee, or holder:

- (10) Commits any act of unprofessional conduct in the practice of...speech-language pathology...; and
- (12) Violates any provision of this title.

class mail at the last known electronic or physical address provided by the licensee and advise the licensee of: (1) the date on which the current license expires; (2) the date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the license expires..." (emphasis added).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that, upon the effective date of this Consent Order, the license of the Respondent to practice as a speech-language pathologist, license number 00778 in the State of Maryland is hereby **REINSTATED**; and it is further

ORDERED that the license of the Respondent to practice as a speech-language pathologist, license number 00778 in the State of Maryland is hereby **REPRIMANDED**; and it is further

ORDERED that the Respondent shall pay to the Board a monetary fine of **ONE THOUSAND DOLLARS (\$1,000.00)** in full by money order or cashier's check made payable to the Board and delivered personally or by certified mail to the Board within **NINETY (90) DAYS** of the effective date of this Consent Order. Failure to pay this monetary fine in full to the Board within **NINETY (90) DAYS** of the effective date of this Consent Order shall constitute a violation of this Consent Order; and it is further

ORDERED that the Respondent shall comply with and practice within all statutes and regulations governing the practice of speech-language pathology in the State of Maryland; and it is further

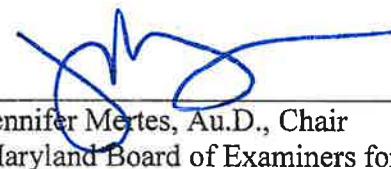
ORDERED that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an opportunity for a show cause hearing before the Board, may impose any other disciplinary sanction which the

Board may have imposed in this case under Md. Code Ann., Health Occ. § 2-314 including probation, suspension, revocation, and/or additional monetary fine, said violation being proven by a preponderance of the evidence; and it is further

ORDERED that this is a Final Decision and Order of the Board and, as such, is a **PUBLIC DOCUMENT** pursuant to Maryland Code Ann., General Provisions § 4-101 *et seq.*

Date

8/27/19

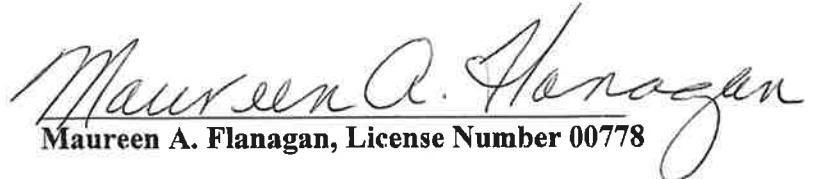

Jennifer Mertes, Au.D., Chair
Maryland Board of Examiners for Audiologists,
Hearing Aid Dispensers, and Speech-Language
Pathologists

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent order. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

8/23/19
Date


Maureen A. Flanagan
Maureen A. Flanagan, License Number 00778

NOTARIZATION

STATE: Florida
CITY/COUNTY: Palm Beach

I HEREBY CERTIFY that on this 23 day of August, 2019, before me, a Notary Public of the State and City/County aforesaid, personally appeared **Maureen A. Flanagan** and made oath in due form of law that the foregoing was the voluntary act and deed of **Maureen A. Flanagan**.

AS WITNESSETH my hand and Notarial Seal.

SEAL

A large, handwritten signature in black ink, appearing to read "LUKE SMITH". Below the signature, the name "Luke Smith" is written in a smaller, cursive font.

Notary Public

My Commission Expires: 04/02/2023